

UNITED STATES COURT
DISTRICT OF MASSACHUSETTS

TERRI J. PEDATO, As Mother and Next)
Friend of RICHARD MORRILL)
Plaintiff)

VS.)

FRED G. ARRIGG, JR., M.D.,)
Defendant)

CIVIL ACTION
NO: 03CV-12223 RGS

**JOINT MOTION OF THE PARTIES TO CONTINUE THE SETTLEMENT APPROVAL
HEARING CURRENTLY SCHEDULED FOR DECEMBER 10, 2007**

Now come the parties in the above captioned matter and respectfully request that this Honorable Court continue the settlement hearing currently scheduled for December 10, 2007 to a date in the second week of January, 2008, convenient for all parties and the Court for the reasons set forth below.

1. The parties have engaged in good faith settlement negotiations to resolve this matter. During this process it was discovered that Mass Health is asserting a lien with respect to payments made for treatment rendered to the minor plaintiff Richard Pedato. (Formerly known as Richard Morrill).
2. Attempts are underway to determine the exact amount of this lien, and to take appropriate action to resolve any issues surrounding this or any other liens concerning Richard Pedato.
3. It is expected that this process will take at least several weeks, if not more, and a settlement approval hearing for December 10, 2007 would be premature.
4. This request is made jointly, and will not result in prejudice to either party.
5. This request to continue the settlement approval hearing date will not unduly delay the disposition of this case, as the parties are working amicably and diligently to resolve the remaining issues concerning the Mass Health lien and any and all other liens relating to Richard Pedato, so that the case may come to conclusion in a timely manner.

Therefore, the parties hereby respectfully that this Honorable Court continue the

settlement approval hearing currently scheduled for December 10, 2007 until a date in the second week of January, 2008, convenient for all parties and this Honorable Court.

The Plaintiff,
By her attorney,
JOSEPH G. ABROMOVITZ, P.C.

The Defendant,
By his attorneys,
FICKSMAN & CONLEY, LLP

/s/ Marsha Morello
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CERTIFICATE OF SERVICE

I hereby certify that on November 26, 2007, I served the above notice on the plaintiff in the above entitled action by mailing a copy thereof, postage prepaid, to their counsel of record Joseph G. Abromovitz, Esq., 858 Washington Street - Third Floor, Dedham, MA 02026.

/s/ Nicole Mason
NICOLE M. MASON